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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

RACHEL G. DAMIANO and KATIE S.
MEDART

Plaintiffs,

vs.

Civil No. 1:21-cv-00859-CL

GRANTS PASS SCHOOL DISTRICT 7,
an Oregon public body, et al.,

Defendants.

DEPOSITION OF

SHERRYL ELY

TAKEN ON
TUESDAY, JUNE SEVENTH, 2022
3:04 P.M.

GRANTS PASS SCHOOL DISTRICT
725 NORTHEAST DEAN DRIVE
GRANTS PASS, OREGON 97526

1 **THE WITNESS:** I do.

2 **THE REPORTER:** Thank you.

3 **SHERRYL ELY**, having been duly sworn, was examined
4 and testified as follows:

5 **EXAMINATION**

6 **BY MR. HACKE:**

7 **Q.** Please state your full name for the Record
8 spelling your first, middle, and last names.

9 A. Sherryl Ann Ely. S-h-e-r-r-y-l A-n-n E-l-
10 y.

11 **Q.** Okay. In preparation for this deposition,
12 did you review facts or utilize documents that have
13 not been disclosed to the plaintiffs?

14 A. No.

15 **Q.** Have you talked to anyone other than your
16 attorney about this case?

17 A. I have not.

18 **Q.** Okay. Please state your role for the
19 district.

20 A. I am the chief finance and operations
21 manger.

22 **Q.** How long have you been in that role?

23 A. I have been that role for approximately 12
24 years.

25 **Q.** How did you get into that role?

1 had made, but it was something that was coming
2 before the legislature that -- that they were
3 concerned about and were wanting to make their
4 position known as well as supporting the positions
5 of others who believed the same that they did.

6 **Q. Please -- please describe why you**
7 **recommended that the plaintiffs be fired.**

8 **A. My main reason for recommending**
9 **termination was really twofold. One -- well,**
10 **actually it was threefold.**

11 **One, they used the district time and**
12 **equipment to work on the I Resolve campaign or**
13 **project; so it was working on the video as well as**
14 **crafting some documents. And there were just a**
15 **couple of emails that they had done that were**
16 **related to that.**

17 **And then two, in discussing or in -- in**
18 **making my decision -- so part of that process is**
19 **that they have the chance to come and talk to me**
20 **when I make a recommendation, when any administrator**
21 **makes a recommendation for termination.**

22 **One of the due process things afforded to**
23 **them is that they can talk to that person. Neither**
24 **one of them wanted to speak with me about that.**

25 **In my opinion, that was unfortunate**

1 because I would have liked to talk to both of the
2 ladies about what they had done and why they had
3 done it. And then my third reason was because they
4 are both probationary.

5 Q. Okay. So you said there was only a couple
6 of emails, correct?

7 A. Right.

8 Q. Would you say that that's de minimis?

9 MS. VICKERS: Object to the form.

10 THE WITNESS: In my opinion, no, it was
11 not de minimis.

12 BY MR. HACHE:

13 Q. Why is only a couple of emails not de
14 minimis?

15 A. Just because of the time that they had to
16 have spent on -- on the emails that I reviewed as
17 part of the process.

18 Q. How much time would you estimate that they
19 spent on those emails?

20 A. I don't -- I couldn't estimate that.

21 Q. How long -- how long were these emails?

22 A. Some of them were, in my opinion, for an
23 email extensive when I consider what I usually put
24 in an email and the -- and the work that they were
25 -- were doing through email.

1 Q. So was that the only use of -- of
2 equipment that they did that you found?

3 A. No. I believe that they were using some,
4 like, you know, paper, material, copies, that kind
5 of thing as part of the process.

6 Q. How -- about how much of paper were they
7 using?

8 A. I could not tell you off the top of my
9 head. I would have to go back to the report to
10 review that.

11 Q. Okay. Don't a lot of people at the --
12 throughout the district, you know, print things off
13 on computers that are not work related?

14 A. Not to my knowledge they don't.

15 Q. Okay. So do you still hold to your
16 recommendation?

17 A. Yes, I do.

18 Q. Why?

19 A. So I will go back to my reasoning for
20 recommending termination in the beginning. The lack
21 of either one of the ladies to want to have a
22 discussion with me about what they did and not
23 wanting to take responsibility for what they did in
24 using district time and equipment to work on the
25 project.

1 going back and checking.

2 Q. Were all of those submitted to the
3 plaintiffs during discovery?

4 A. Yes, any emails that we received would
5 have been submitted.

6 Q. Okay. In your estimation, how many phone
7 calls did the district office field between the end
8 of spring break 2021 and the plaintiffs being placed
9 on leave during or regarding the I -- I Resolve
10 video?

11 A. I want to say that there were about 50,
12 but I would have to go back and -- and count that
13 just to be sure.

14 Q. Okay. Was a complete and accurate record
15 of these calls submitted to the plaintiffs during
16 discovery?

17 A. To my knowledge, yes, they were.

18 Q. In your estimation, how many phone calls
19 came in after the plaintiffs were put on leave?

20 A. I -- I don't recall without going back and
21 checking.

22 Q. Okay. Were a complete and accurate record
23 of these calls submitted to the plaintiffs during
24 discovery?

25 A. Yes, they would have been.

1 **Q. Have there been student demonstrations**
2 **arising from I -- the I Resolve video or the**
3 **employment status of the plaintiffs?**

4 **A. Yes.**

5 **Q. Okay. How have those been handled by the**
6 **district office?**

7 A. The way we handle any kind of student
8 demonstration and so students are allowed to
9 peacefully protest, but it has to be within a time
10 frame.

11 They can't just protest for an entire day
12 and so it's usually encompasses a class period that
13 they are allowed to protest. And so we would tell
14 the students that they had to go back to class, and
15 if students didn't follow what they were asked to
16 do, then there would be disciplinary consequences
17 for that.

18 **Q. Have there been other student**
19 **demonstrations this school year not related to I**
20 **Resolve or the plaintiffs?**

21 A. Yes.

22 **Q. How were those handled differently from**
23 **those about I Resolve?**

24 A. They were handled the same.

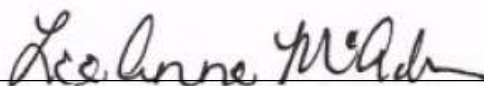
25 **Q. In the -- in the last demonstration, were**

CERTIFICATE

I, Lee Anne McAdam, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 21st day of June, 2022.

A handwritten signature in black ink, appearing to read "Lee Anne McAdam", is written over a horizontal line.

Lee Anne McAdam